

UNITED STATES PATENT AND TRADEMARK OFFICE

MAILED

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

MAY 27 2003

Ex parte MICHAEL KEANE and THOMAS MORAN

**PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application No. 09/881,441

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on May 19, 2003. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

Appellants filed an amendment on July 16, 2002 (Paper No. 4). On page 3, section (8) of the Examiner's Answer mailed on January 14, 2003 (Paper No. 8), the examiner states that "[a] substantially correct copy of appealed claims 1-23 appears on pages 12-17 of the Appendix to the appellant's [sic, appellants'] brief" and mentions claim 11 as the claim containing minor errors. However, a review of appellants' Appendix to the Brief reveals that claim 17 contains substantial errors and is not the

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correct copy according to the amendment filed on July 16, 2002
(Paper No. 4).

Accordingly, it is

ORDERED that the application is returned to the examiner
for notifying appellants to submit a corrected Appendix to the
Brief, or for the examiner to submit a correct copy of claim 17
on appeal, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

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